

**VIA CERTIFIED MAIL/e-RETURN RECEIPT REQUESTED**

Mr. Scott Rudd, Town Manager  
Town of Nashville, Indiana  
200 Commercial Street  
PO Box 446  
Nashville, IN 47448

Greg Zoeller, Esq.  
Indiana Attorney General  
Indiana Government Center South  
302 W. Washington Street  
Indianapolis, IN 46204

Article No. 9414 8118 9956 3654 9307 84

Article No. 9414 8118 9956 3654 9382 92

Indiana Department of Insurance  
Indiana Political Subdivision Risk  
Management Commission  
311 W. Washington Street  
Indianapolis, IN 46204

Article No. 9414 8118 9956 3654 9371 96

**NOTICE OF AND CLAIM FOR PERSONAL INJURY**

1. **NAME OF CLAIMANTS:** KALVYN JOHNSON-BEY and CARLEEN SCROGHAM, as parents of Xavier Scrogam, deceased, in care of counsel for Claimants: Trent A. McCain, MCCAIN LAW OFFICES, P.C., 5655 Broadway, Merrillville, IN 46410 (219) 884-0696.

2. **DATE AND TIME OF LOSS:** August 29, 2016 at approximately 11:20 pm.

3. **EXACT LOCATION OF LOSS:** Various. Reportedly began on Central Avenue in Columbus, Bartholomew County, Indiana.

4. **DOLLAR AMOUNT OF LOSS:** The maximum amount recoverable by law.

5. **POLITICAL SUBDIVISION INVOLVED:** Town of Nashville, Indiana.

6. **NAMES AND ADDRESSES OF PERSON INVOLVED:** Xavier Scrogam, deceased, Leonard Burch. Claimants' investigation continues.

7. **ADDRESS OF CLAIMANT'S AT TIME OF LOSS:** See answer to 1 above.

8. **CLAIMANT'S CURRENT ADDRESS AND TELEPHONE NUMBER:** See answer to No. 7 above.

NOTICE OF TORT CLAIM  
**RE: XAVIER SCROGHAM**  
DATE OF LOSS: August 29, 2016  
16 September 2016


9. **HOW THE POLITICAL SUBDIVISIONS WERE NEGLIGENT:** On August 29, 2016 at approximately 11:20 pm, former reserve officer, Leonard Burch, was driving a marked Nashville police cruiser. Burch reportedly observed Xavier Scrogam riding a motorcycle at a “high rate of speed” and engaged in a ten-minute long, high-speed pursuit of Scrogam. Plaintiffs intend to bring a cause of action for negligence, negligent entrustment, negligent hiring, intentional infliction of emotional distress, negligent infliction of emotional distress, and/or wrongful death.

10. **PRESERVATION OF EVIDENCE:** Claimants demand that the cruiser driven by Burch, at the time of the occurrence, be immediately impounded for forensic analysis at a later date.

11. **APPROVAL OR DENIAL OF CLAIM BY GOVERNMENTAL ENTITY:** Pursuant to IC 34-13-3-11, the above-named claimant requests that the named governmental entity notify claimant’s counsel in writing of the approval or denial of this claim within ninety (90) days from the filing of this notice.

Dated: September 16, 2016

Respectfully submitted,

  
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Claimants’ Attorney

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